



60137-161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chen  
Serial No.: 09/746,476  
Filed: December 21, 2000  
Group Art Unit: 1711  
Examiner: Bissett, Melanie D.  
Title: COATED ARTICLE WITH POLYMERIC BASECOAT

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JAN 26 2004  
TC 1700

**TERMINAL DISCLAIMER TO OBVIATE  
OBVIOUSNESS-DOUBLE PATENTING REJECTIONS**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Karin H. Butchko, represent that I am an agent authorized to sign on behalf of the above-referenced Applicant of record, Vapor Technologies, Inc. The application has been and continues to be owned by Vapor Technologies, Inc. The extent of the interest of Vapor Technologies, Inc. is in the whole of this invention. I have reviewed the application listed above, and to the best of my knowledge and belief, title to the present application is in Vapor Technologies, Inc.

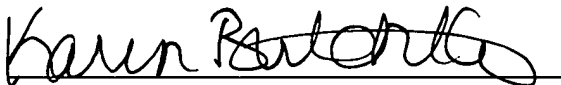
I hereby disclaim the terminal part of any patent granted on the above identified application which would extend beyond the expiration of the full statutory term of United States Patent Application Serial No. 10/033,859, as presently shortened by any terminal disclaimers, and hereby agree that any patents granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Application Serial No. 10/033,859. This agreement is to run with any patent granted on the above-identified application, and to be binding upon the grantor, its successors or assignees. Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent Application Serial No. 10/033,859 as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a re-examination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby disclaim the terminal part of any patent granted on the above identified application which would extend beyond the expiration of the full statutory term of United States Patent Application Serial No. 09/827,189, as presently shortened by any terminal disclaimers, and hereby agree that any patents granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Application Serial No. 09/827,189. This agreement is to run with any patent granted on the above-identified application, and to be binding upon the grantor, its successors or assignees. Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent Application Serial No. 09/827,189 as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a re-examination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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Respectfully Submitted,

**CARLSON, GASKEY & OLDS, P.C.**



Karin H. Butchko

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Dated: January 15, 2004

**CERTIFICATE OF MAILING**

I hereby certify that the enclosed disclaimer being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 15, 2004.



Amy M. Spaulding